

UNITED STATES BANKRUPTCY COURT District of New Jersey
Albert Russo Cn 4853 Trenton, NJ 08650 (609) 587-6888 Standing Chapter 13 Trustee
In re:  Anthony Garofano Monica Garofano  Debtor(s)



Order Filed on August 17, 2020  
by Clerk  
U.S. Bankruptcy Court  
District of New Jersey

Case No.: 15-33990 / MBK

Hearing Date: 08/12/2020

Judge: Michael B. Kaplan

Chapter: 13

**ORDER CONFIRMING MODIFIED CHAPTER 13 PLAN**

The relief set forth on the following pages, numbered two (2) through three (3) is **ORDERED**.

**DATED: August 17, 2020**

  
Honorable Michael B. Kaplan  
United States Bankruptcy Judge

The modified plan of the debtor having been proposed to creditors, and a hearing having been held on the confirmation of such modified plan, and it appearing that the applicable provisions of the Bankruptcy Code have been complied with; and for good cause shown, it is

**ORDERED** that the modified plan of the above named debtor, dated 07/09/2020, or the last amended plan of the debtor be and it is hereby confirmed. The Standing Trustee shall make payments in accordance with 11 U.S.C. § 1326 with funds received from the debtor.

**ORDERED** that the plan of the debtor is confirmed to pay the Standing Trustee for a period of 60 months.

**ORDERED** that the debtor shall pay the Standing Trustee, Albert Russo, based upon the following schedule, which payments shall include commission and expenses of the Standing Trustee in accordance with 28 U.S.C. § 586:

\$32,395.00 PAID TO DATE

\$633.00 for 5 months beginning 8/1/2020

**ORDERED** that the case is confirmed with a calculated plan funding of \$35,560.00 which includes a minimum of \$2,461.00 dividend to general unsecured creditors.

**ORDERED** that the Standing Trustee shall be authorized to submit, ex-parte, an Amended Confirming Order, if required, subsequent to the passage of the claims bar date(s) provided under Fed. R. Bank. P. 3002.

**ORDERED** that the debtor's attorney be and hereby is allowed a fee pursuant to the filed 2016(b) Statement. Any unpaid balance of the allowed fee shall be paid to said attorney through the Chapter 13 plan by the Standing Trustee.

**ORDERED** that if the debtor should fail to make plan payments or fail to comply with other plan provisions for a period of more than 30 days, the Standing Trustee may file, with the Court and serve upon the Debtor and Debtor's Counsel, a Certification of Non-Receipt of Payment and request that the debtor's case be dismissed. The debtor shall have fourteen (14) days within which to file with the Court and serve upon the Trustee a written objection to such Certification.

**ORDERED** that upon completion of the plan, affected secured creditors shall take all steps necessary to remove of record any lien or portion of any lien discharged.

**ORDERED** that the Standing Trustee is not authorized to pay post-petition claims filed pursuant to 11 U.S.C. § 1305(a).

**ORDERED** that student loans are to be paid outside of the Chapter 13 Plan.

**ORDERED** that if the debtor has provided for a creditor to be paid in the plan and no Proof of Claim is filed by such creditor before expiration of the applicable bar date, the debtor, pursuant to F.R.B.P. 3004, must file a Proof of Claim on behalf of the creditor within 30 days of the expiration of the applicable bar date. If the time period pursuant to F.R.B.P. 3004 has expired, the debtor must file a Proof of Claim on behalf of the creditor **and** file a motion to allow the Trustee to pay the late filed claim, or the debtor may obtain a Consent Order with the creditor authorizing the Trustee to pay an amount certain in the plan.

**ORDERED** as follows:

Debtor's counsel to file supplemental fee application within 8 days of confirmation.

## Certificate of Notice Page 4 of 4

United States Bankruptcy Court  
District of New JerseyIn re:  
Anthony Garofano  
Monica Garofano  
DebtorsCase No. 15-33990-MBK  
Chapter 13**CERTIFICATE OF NOTICE**

District/off: 0312-3

User: admin  
Form ID: pdf903Page 1 of 1  
Total Noticed: 1

Date Rcvd: Aug 17, 2020

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on Aug 19, 2020.  
db/jdb Anthony Garofano, Monica Garofano, 30 Berkshire Drive, Howell, NJ 07731-2357

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.  
NONE. TOTAL: 0

\*\*\*\*\* BYPASSED RECIPIENTS \*\*\*\*\*

NONE. TOTAL: 0

Transmission times for electronic delivery are Eastern Time zone.

**I, Joseph Speetjens, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.**

**Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed. R. Bank. P. 2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.**

Date: Aug 19, 2020

Signature: /s/Joseph Speetjens**CM/ECF NOTICE OF ELECTRONIC FILING**

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on August 17, 2020 at the address(es) listed below:

Albert Russo docs@russotrustee.com  
 Albert Russo on behalf of Trustee Albert Russo docs@russotrustee.com  
 Aleksander Piotr Powietrzynski on behalf of Creditor JPMORGAN CHASE BANK, N.A.  
 alex@winstonandwinston.com  
 Andrew L. Spivack on behalf of Creditor WELLS FARGO BANK, N.A. nj.bkecf@fedphe.com  
 Denise E. Carlon on behalf of Creditor Specialized Loan Servicing, LLC  
 dcarlon@kmlawgroup.com, bkgroup@kmlawgroup.com  
 James J. Cerbone on behalf of Debtor Anthony Garofano cerbonelawfirm@aol.com,  
 cerbonejr83307@notify.bestcase.com  
 James J. Cerbone on behalf of Joint Debtor Monica Garofano cerbonelawfirm@aol.com,  
 cerbonejr83307@notify.bestcase.com  
 James Patrick Shay on behalf of Creditor WELLS FARGO BANK, N.A. shay@bbs-law.com,  
 jpshay@gmail.com  
 Jennifer D. Gould on behalf of Creditor Steward Financial Services jgould@stark-stark.com,  
 mdepietro@stark-stark.com  
 John D. Krohn on behalf of Creditor WELLS FARGO BANK, N.A. nj.bkecf@fedphe.com  
 John L. Laskey on behalf of Creditor Steward Financial Services jlaskey@stark-stark.com,  
 jgould@stark-stark.com  
 Michael Frederick Dingerdissen on behalf of Creditor WELLS FARGO BANK, N.A.  
 nj.bkecf@fedphe.com  
 Sherri Jennifer Smith on behalf of Creditor SPECIALIZED LOAN SERVICING LLC  
 nj.bkecf@fedphe.com, nj.bkecf@fedphe.com

TOTAL: 13